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	Application Number	10/781,052
	Filing Date	February 18, 2004
	First Named Inventor	Pangerc et al
	Art Unit	3728
	Examiner Name	to be assigned
Total Number of Pages in This Submission	Attorney Docket Number	0275Y-000713

ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Form PTO-1449; 18 foreign references; return receipt postcard</b>		
<table border="1"> <tr> <td>Remarks</td> <td>The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 02-2548. A duplicate copy of this sheet is enclosed.</td> </tr> </table>			Remarks	The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 02-2548. A duplicate copy of this sheet is enclosed.
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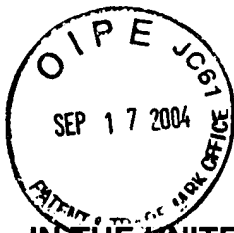
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Ryan W. Massey
		Reg. No.	38,543
Signature	<i>Ryan W. Massey</i>		
Date	September 17, 2004		

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Ryan W. Massey	Express Mail Label No.	EV 531 989 932 US (9/17/2004)
Signature	<i>Ryan W. Massey</i>	Date	September 17, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EV 531 989 932 US



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PATENT**

Application No.: 10/781,052  
Filing Date: February 18, 2004  
Applicant: Pangerc et al  
Group Art Unit: 3728  
Examiner: to be assigned  
Title: STORAGE CONTAINER  
Attorney Docket: 0275Y-000713

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Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

**I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION**

The patents, publications and other information requested to be considered by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

**II. COPIES**

A. ☐ Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. ☐ Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were

previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

U.S. Filing Date

C. ☒ Because the present application was/is being filed after June 30, 2003, no copies of the U.S. patents or U.S. patent application publications which are listed on the attached Form 1449 are enclosed pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i). Any foreign patent documents or non-patent literature listed on the attached Form 1449 are enclosed herewith.

D. ☐ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form 1449 for consideration by the Examiner and for listing on any patent resulting from this application. Since the International Search report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g).)

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. ☒ Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. ☒ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. ☐ See the attached foreign patent office communication from a counterpart foreign application:

2. ☐ English translations are provided:

3. ☒ Other:

**German Patent No. DE1037956** generally relates to a container for screwdriver bits with a plurality of holes or pockets (2) for receiving drill bits (1), which holes or pockets (2) are separated from each other by elastically deformable walls.

**German Patent No. DE1059368** generally relates to a container for storing drill bits, which container comprises shell housing portions (2), each pivotably connected to a block (1) comprising three rows of holes for receiving drill bits.

**German Pat. App. P2008963.8** generally relates to a bit container with a diagonal bar (34; 36) in each of the pivotable housing portions (24, 26), wherein the diagonal bars (34; 36) are provided to prevent the drill bits from falling out of the holes of the container when the container is turned upside down.

**German Pat. No. 2461766C3** generally relates to a container for drill bits and the like, which container comprises three inserts (14, 16, 18) having holes (20) for receiving drill bits. The inserts (14, 16, 18) are pivotable about a common axis (28, 30) which, however, is not the hinge axis.

**German Pat. No. 3837829C1** generally relates to a container with three inserts (3, 4, 5) pivotable about a common axis (10).

**German Pat. App. 19611301C2** generally relates to a container with three inserts pivotable about a common axis.

**German Pat. No. 19612149C1** generally relates to a container for storing elongate products like drill bits.

**German Pat. No. 1895600** generally relates to a container for tool bits having two pivotable lid members (9, 10) with one lid member (10) provided with knurled lateral portions (11) to facilitate opening of the container.

**German Pat. No. 7721646** generally relates to a bit container having a bottom housing part (10) and a lid (12) as well as two inserts (16, 18), each pivotable about its own axis (34) and coupled with each other and coupled with the lid (12) so that opening of the lid moves the inserts (16, 18) to an upright position.

**German Pat. No. 8304781.6** generally relates to a bit container with an arrangement of pivotable inserts (4).

**German Pat. No. 8514919.5** generally relates to a bit container disclosing the combination of three inserts (4, 5, 6) pivotable about a common axis which, however, is not the hinge axis of the housing portions (1, 3) and a diagonal bar (Fig. 1).

**German Pat. No. 8314923.6** generally relates to a bit container which comprises a pivotable insert (3) for receiving drill bits or the like and which cooperates with a diagonal bar (8) designated as a drill bit stop. However, it is

not disclosed whether the pivot axis of the insert (3) is coaxial with the hinge axis of the container portions (1, 2).

**German Pat. No. 9310875.3** generally relates to a tool bit container having a magazine (11) for receiving the tool bits and a lid (12) pivotably connected to the magazine (11). According to the characterizing part of claim 1, the pivot connection of the magazine (11) and the lid (12) is chosen so that in the open state of the container the magazine (11) and the lid (12) form an X-shaped stand. Such a structure is of no interest.

**German Pat. No. 29618465U1** generally relates to a tool bit container having a lid (2) and a container portion (3) pivotably connected by means of a hinge arrangement (7). In the container portion (3) two sets of tool bit inserts (12a, 12b) are provided, each pivotable about an axis (14).

**German Pat. No. 29710394U1** generally relates to a tool bit container having an insert (4) with holes (20) limitedly pivotable with respect to the container portion (1) of the housing.

**German Pat. No. 29913188U1** generally relates to a tool holder container, in particular for drill bits, having a front wall portion (2) and a rear wall portion (3), which are movable between a closed position and an open position, as well as a storing device (4) for tool bits.

**German Pat. No. 215290** generally relates to a bit container having three inserts (3, 4, 5) pivotably mounted within the lid (2)

**European Pat. No. 0199080** generally relates to a bit container having inserts pivotable about different axes (31; 41) and a diagonal bar (16) provided within the container portion (10) of the housing.

C. ☐ The following additional information is provided for the Examiner's consideration.

#### IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. ☐ The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does (do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.

Filing Date

Art Unit

V. THIS IDS IS BEING FILED UNDER

A. ☒ **37 C.F.R. § 1.97(b):** (check only one box)

1. ☐ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.
2. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.
3. ☐ before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required.
4. ☒ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. ☐ **37 C.F.R. § 1.97(c):** (check only one box)

before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. ☐ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).
2. ☐ See the certification below. No fee is required.

C. ☐ **37 C.F.R. § 1.97(d):**

after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. ☐ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

- A. ☐ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application

not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F.R. 1.704(d) below in section VII, if applicable; or

B. ☐ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. ☐ some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 C.F.R. 1.704(d)

The undersigned hereby states that:

☐ each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS.

VI. PAYMENT OF FEES (check only one box)

A. ☐ A check in the amount of \$180.00 is enclosed for the above identified fee.

B. ☐ Please charge Deposit Account No. 02-2548 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 02-2548.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 02-2548.

Respectfully submitted,

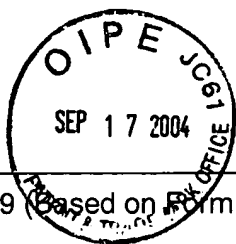
Dated: Sept. 17, 2004

By: Ryan W. Massey  
Ryan W. Massey  
Reg. No. 38,543

Harness, Dickey & Pierce, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

RWM/dr





FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE**  
**INFORMATION DISCLOSURE CITATION**  
(Use several sheets if necessary)

Sheet 1 of 2

ATTORNEY DOCKET NO.

0275Y-000713

SERIAL NO.

10/781,052

APPLICANT

Pangerc et al

FILING DATE

February 18, 2004

GROUP

3728

**U.S. PATENT DOCUMENTS**

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		D446018	08/2001	Streich et al		
2.		6415922	07/2002	Lee		
3.		5186339	02/1993	Heissler		
4.		5687849	11/1997	Borenstein et al		
5.		6508360	01/2003	Chen		
6.		6547074	04/2003	Chen		
7.		6547077	04/2003	Budert		

**FOREIGN PATENT DOCUMENTS**

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
1.		DE1059368	12/1959	Germany			X
2.		DE1037956	02/1959	Germany			X
3.		DE2008963	09/1971	Germany			X
4.		DE2461766C3	05/1982	Germany			X
5.		DE3837829C1	10/1989	Germany			X
6.		DE19611301C2	10/1999	Germany			X
7.		DE19612149C1	07/1997	Germany			X
8.		DE1895600	05/1964	Germany			X
9.		GM7721646	01/1979	Germany			X
10.		DE29618465U1	02/1997	Germany			X

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>FORM HDP-1449 (Based on Form PTO-1449)</b>  <b>PATENT AND TRADEMARK OFFICE</b> <b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)  Sheet 2 of 2	ATTORNEY DOCKET NO.	SERIAL NO.
	0275Y-000713	10/781,052
	APPLICANT	
	Pangerc et al	
	FILING DATE	GROUP
	February 18, 2004	3728

FOREIGN PATENT DOCUMENTS							
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
11.		DE29913188U1	12/1999	Germany			X
12.		DE29710394U1	09/1997	Germany			X
13.		EP0199080B1	03/1986	EPO			X
14.		G9310875.3	06/1994	Germany			X
15.		G8514919.5	08/1985	Germany			X
16.		G8304781.6	06/1983	Germany			X
17.		G8314923.6	09/1983	Germany			X
18.		DE215290	11/1984	Germany			X

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)		
Ref. Desig.	Examiner's Initials	
1.		

Examiner:	Date Considered:
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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.